ZB# 87-11

Howard & Carol Picard

4-2-3.12

Public Hearing.

Public Hearing.

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TOWN OF NEW WINDSOR	General Receipt	8802
555 Union Avenue New Windsor, N. × 12550		april 2 1987
Received of	Recark	\$ 5000
For applical	La Se Variance	DOLLARS - 3BA
DISTRIBUTION: FUND COD	E AMOUNT -	li I Tourson
50.00	The By Cer	- 10 E
Williamson Lew Book Co., Rochester, N. Y. 14609	2	Title

48-140 (1)

NEW WINDSOR ZONING BOARD OF APPEALS

In the Matter of the Application of RICHARD PICARD and CAROLE PICARD

DECISION GRANTING AREA VARIANCE FOR FENCE

#87-11.

----X

WHEREAS, RICHARD PICARD and CAROLE PICARD, residing at 70 Wells Road, Newburgh, N. Y. 12550, has made application before the Zoning Board of Appeals for an area variance for purposes of construction of an 176 ft. of 5 ft. high fence along a portion of the sideyard of the property line located on Union Avenue in a PI zone; and

WHEREAS, a public hearing was held on the 13th day of April, 1987 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant appeared in behalf of himself;

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

- 2. The evidence shows that applicant is seeking permission to construct 176 ft. of 5 ft. high fence for purposes of protecting his property from trespassers and vandals.
- 3. The evidence presented by the applicant substantiated the fact that the proposed construction would not be detrimental to the neighboring properties.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

- 1. The evidence shows that the applicant will encounter practical difficulty if the variance requested is not granted due to the fact that applicant has landscaped and laid out his parking lot in order to enhance his newly-constructed facility.
- 2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood which is commercial in nature.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a variance for construction of 176 ft. of 5 ft. high fencing in accordance with plans submitted at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: April 27, 1987.

Chairman



TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK

April 14, 1987

Danhai

P & P QUICK COPY CENTER, INC. R. D. 2 - Temple Hill Road New Windsor, N. Y 12550

Attn: Mr. Howard Picard

RE: APPLICATION FOR VARIANCE (FENCE)

#87-11

Dear Howard:

This is to confirm that the Zoning Board of Appeals made a decision to approve your above application for a variance at the April 13, 1987 public hearing.

Formal decision will be drafted at a later date and forwarded to you by return mail.

Very truly yours,

PATRICIA A. BARNHART

Secretary

/pab

cc: Town Planning Board

Town Building Inspector Babcock

TOWN OF NEW WINDSOR ORANGE COUNTY, N. Y. OFFICE OF ZONING - BUILDING INSPECTOR

9-1-39

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

FileNo	Date 3/18 , 1987
16 Wells Kd Jel	
PLEASE TAKE NOTICE that your apple 1761 of February for permit to Erect, 5 Foot on at the premises located at UMIGH. Aug.	lication dated 3/17 1957
is returned herewith and disapproved on the CAMMON PULS FOOT FEW That IS Allowed IS 4FF	ice on Proporty Line All
	Orba France

Proposed or <u>Available</u>

Requirements IIIn. Lot Area

Variance Request

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

To Howard PICARD 565-4260-PAP.
11au 1bu au b 19 19 19 19 19 19 19 19 19 19 19 19 19
Memburgh M.4 12550
PLEASE TAKE NOTICE that your application dated 317 , 1957 For permit to Erect, 5 Foot and Property on Property Line
· · · · · · · · · · · · · · · · · · ·
at the premises located at UMIGN Ave & Temple 14.11. Rd
is returned herewith and disapproved on the following grounds:
CANNOT PUT 5' FOOT FENCE ON PROPORTY LINE All
That 15 Allowed is 4Ft Fence
$0.0 \cdot 1$
John Finne cfur Building Infrector Toung
V (oung
•
Proposed or Variance
Requirements Available Request
Min. Lot Vidth
Reqd. Front Yd
Reqd. Rear Yd
Frontage* Nax. Bldg. Fgt.

Dev. Coverage* Fluor Area Ratio

^{*} Residential Districts only ** Non-residential districts only

Name of Owner of Premises HOWATED PICATED
Address 70 WELLS TOP, NEWB URG Hone 5-61-1273
Name of Architect.
AddressPhone
Name of Contractor
Address Phone
State whether applicant is owner, lessee, agent, architect, engineer or builder: OWNEN If applicant is a corporation, signature of duly authorized officer.
Howard Occord, President (Name and title of corporate officer)
1. On what street is property located? On the ENT side of TEMPLE HILL R.D. (N. S. E. or W.)
andfeet from the intersection of
2. Zone or use district in which premises are situated
3. Tax Map description of property: Section
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy Commencers. b. Intended use and occupancy
5. Nature of work (check which applicable): New BuildingAdditionAlterationRepairRemoval
DemolitionOther
6. Size of lot: Front Rear Depth Front Yard Rear Yard Side Yard
Is this a corner lot?
7. Dimensions of entire new construction: Front Rear Depth Height Number of storles
8. If dwelling, number of dwelling units Number of dwelling units on each floor
Number of bedrooms Baths Toilets
Heating Plant: Gas Oil Electric/Hot Air Hot Water
If Garage, number of cars
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost Fee (to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION — YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

Addre	Phone
38 70 70 70	thether applicant is owner, lessee, agent, architect, engineer or builder:
If appl	cant is a corporation, signature of duly authorized officer.
	Howard Pecond, President (Name and title of corporate officer)
	(Name and title of corporate officer)
	what street is property located? On the EMT side of TEMPLE HILL RD (N. S. E. or W.)
and	feet from the intersection of
2. Zo:	ne or use district in which premises are situated
3. Ta	Map description of property: Section Block Lot Lot
4. Sta	te existing use and occupancy of premises and intended use and occupancy of proposed construction:
8.	Existing use and occupancy COMMENICAL b. Intended use and occupancy
5. Na	ture of work (check which applicable): New BuildingAdditionAlterationRepairRemoval
,	DemolitionOther
6. Siz	of lot: Front Rear Depth Front Yard Rear Yard Side Yard
1	s this a corner lot?
7. Dis	nensions of entire new construction: Front Rear Depth Height Number of stories
8. If d	welling, number of dwelling units Number of dwelling units on each floor
. 1	Number of bedrooms Baths Toilets
1	Heating Plant: Gas Oil Electric/Hot Air Hot Water
: 1	f Garage, number of cars
9. If 1	usiness, commercial or mixed occupancy, specify nature and extent of each type of use
•••••	imated cost # 2,300 Fee
10. Est	imated cost

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CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS — 565-8807

- 1-When excavating is complete and footing forms are in place (before pouring).
- 2—Foundation Inspection check here for waterproofing and footing drains.
- 3-Inspect gravel base under concrete floors, and underslab Plumbing.
- 4-When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5—Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.
- 6—Driveway inspection must meet approval of town Highway Inspector.
- 7-\$20.00 charge for any site that calls for the same inspection twice.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined	····	Office of Building Michael L. Babcock Town Hall,555 Union New Windsor, New Yo Telephone 565-8807	Avenue
Refer — Planning Board Highway		FOR BUILDING PERM te Building Code and Town Or	the second secon
Sewer Water Zoning Board of Appeals		Date.	19
	INSTRUCTIONS		i de la companya de l
 a. This application must be completely filled in b. Plot plan showing location of lot and building and giving a detailed description of layout of propertion. c. This application must be accompanied by two sets of specifications. Plans and specifications shall deto be used and installed and details of structural, mentalled. 	ngs on premises, relationship by must be drawn on the di o complete sets or plans sh secribe the nature of the wo	o to adjoining premises or publi agram which is part of this app owing proposed construction a rk to be performed, the materia	ic streets or areas, lication. and two complete
d. The work covered by this application may no			· •
e. Upon approval of this application, the Buildi proved set of plans and specifications. Such permit ar for inspection throughout the progress of the work. f. No building shall be occupied or used in whol	ing Inspector will issue a Bo nd approved plans and spec	uilding Permit to the applicant iffications shall be kept on the p	together with appremises, available
have been granted by the Building Inspector.	•	are paragraphic	
APPLICATION IS HEREBY MADE to the Build Building Construction Code Ordinances of the Town or for removal or demolition or use of property, as h dinances, regulations and certifies that he is the owne scribed in this application and if not the owner, tha assume responsibilty for the owner in connection with	n of New Windsor for the c nerein described. The applic or agent of all that certal t he has been duly and pro	construction of buildings, addition ant agrees to comply with all a n lot, piece or parcel of land at	ons or alterations, pplicable laws, or- nd/or building de-
(Signature of Applicant)		D NE aBokb G. (Address of	Applicant
(Signature of Appresail)	PLOT PLAN	The state of the s	
NOTE: Locate all buildings and indicate all set- Applicant must indicate the building line or line	pack dimensions.	the drawings.	en de la Calendaria Servicio
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SEE	ATTACH EB		
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AM MCCL ** * * * * * * * * * * * * * * * * *	Date
Zoning Board of Appeals	
INSTRUCTIONS	
a. This application must be completely filled in by typewriter or in	
b. Plot plan showing location of lot and buildings on premises, relagiving a detailed description of layout of property must be drawn or	n the diagram which is part of this application.
c. This application must be accompanied by two complete sets of p	plans showing proposed construction and two complete
of specifications. Plans and specifications shall describe the nature of the used and installed and details of structural, mechanical and plumb	oing installations.
d. The work covered by this application may not be commenced be	*
e. Upon approval of this application, the Building Inspector will issved set of plans and specifications. Such permit and approved plans a inspection throughout the progress of the work.	
f. No building shall be occupied or used in whole or in part for any e been granted by the Building Inspector.	
APPLICATION IS HEREBY MADE to the Building Inspector for the ding Construction Code Ordinances of the Town of New Windsor for removal or demolition or use of property, as herein described. The ances, regulations and certifies that he is the owner or agent of all that bed in this application and if not the owner, that he has been duly a time responsibility for the owner in connection with this application.	for the construction of buildings, additions or alterations, are applicant agrees to comply with all applicable laws, or at certain lot, piece or parcel of land and/or building deand properly authorized to make this application and to
George of Appliance)	72D NE a Bun 6 64 (Address of Applicant)
(Signature of Applicant)	(Address of Applicant)
PLOT PLAN	
NOTE: Locate all buildings and indicate all set-back dimensions.	and the second of the second o
Applicant must indicate the building line or lines clearly and distinct	ctly on the drawings.
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INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD

TOWN BUILDING/ZONING INSPECTOR BABCOCK

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARING BEFORE THE ZBA - 4/13/87

DATE: March 31, 1987

Please be advised that the following public hearing will be heard before the Zoning Board of Appeals on the above date:

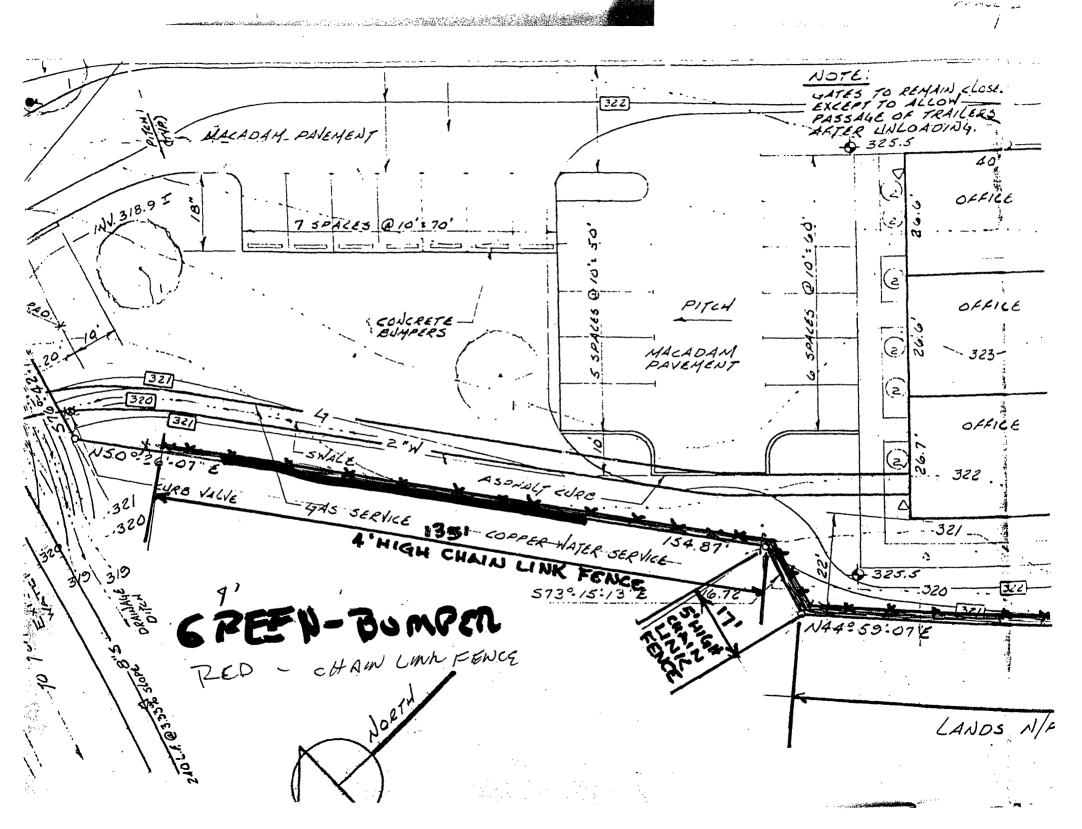
FRANK CLINTON - Use variance HOWARD & CAROLE PICARD - Fence SOLLAS, RICHARD & SANDRA - Fence

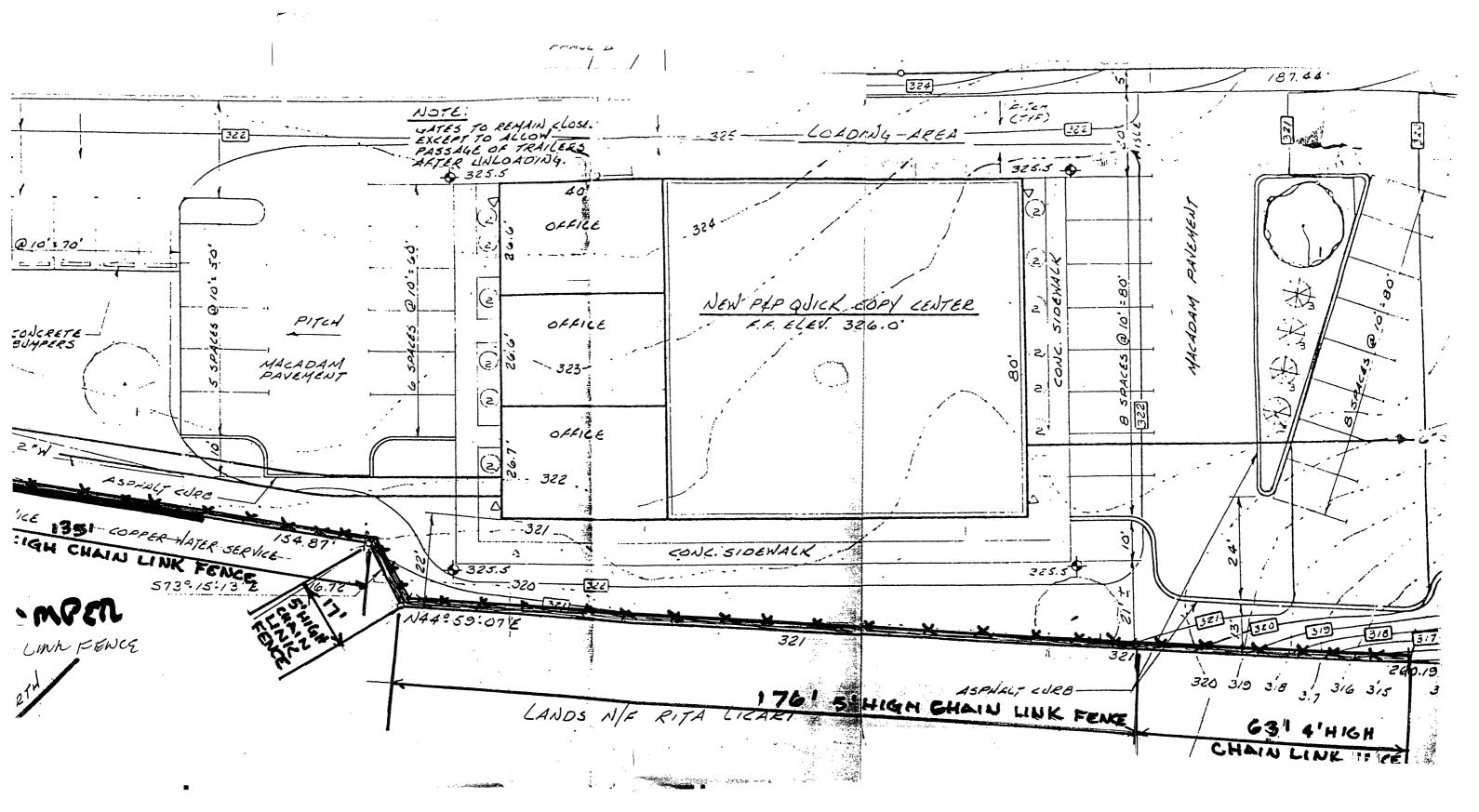
I have attached hereto copies of the pertinent applications together with public hearing notices which were published in <a href="https://doi.org/10.1007/jhearing10.1007/jhea

Patricia A. Barnhart, Secretary Zoning Board of Appeals

/pab

Attachments





TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

		Date: <u>3/19/87</u>
-		
I.	App1 (a) (b)	icant Information: PICARD, HOWARD and CAROL P & P QUICK COPY CENTER, INCTemple Hill Rd., New Windsor, NY (Name, address and phone of Applicant) (Owner)
,	(c)	(Name, address and phone of purchaser or lessee)
	(d)	(Name, address and phone of attorney)
	(4)	(Name, address and phone of broker)
II.	App1	lication type:
		Use Variance Sign Variance
	x	Area Variance Special Permit
III.	Prop (a)	perty Information: PI Temple Hill Rd. 4-2-3.12 1.3 acres + (Zone) (Address) (S B L) (Lot size)
	(b) (c)	What other zones lie within 500 ft.? R-4 Is a pending sale or lease subject to ZBA approval of this application? n/a
V	(d) (e) (f)	When was property purchased by present owner? 1985 Has property been subdivided previously? no When? -
•	(g)	Has property been subject of variance or special permit previously? <u>Yes</u> When? <u>1985</u> . Has an Order to Remedy Violation been issued against the
	(h)	property by the Zoning Inspector? No . Is there any outside storage at the property now or is any proposed? Describe in detail: n/a
	•	
IV.	Use (a)	Variance: n/a Use Variance requested from New Windsor Zoning Local Law, Section, Table of Regs., Col, to allow: (Describe proposal)

	(b)	hardship. will result set forth	the legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also et forth any efforts you have made to alleviate the hardship other than this application.			
			ა ⊉			
77	A					
٧.		variance: Area varia Section 48-	nce requested f 14C(1) Eablexo f _	rom New Windson	Zoning Local I	law,
		Supplementar	y Yard Regs Fe		••	
		D		Proposed or		
		Requiremen		<u>Available</u>	Request	
		Min. Lot A		· · · · · · · · · · · · · · · · · · ·		
		Min. Lot W Reqd. Fron	+ Aq			
		Reqd. Side	Vd			
		Reqd. Rear	Yd.			
		Reqd. Stre	et			
		Frontage*		•		
		Max. Bldg.				
		Min. Floor	Area*			
		Dev. Cover	age* <u>%</u>	<u> </u>	%	•
		Floor Area		1-i-line	-! 33 - C	
		* Residen	tial Districts	onja Hammink tence on	sideyard of prope	rty line
			idential distri			
	(b)	The legal difficulty will result set forth difficulty Applicant redefine prope There have bearing on P	standard for ar . Describe why t unless the ar any efforts you other than thi quires 176 ft. of rty line which is	n "AREA" variand y you feel practice variance is a have made to a subject of the	ence in order to Avenue Deli. ue to deli custome	y
VI.	Sign	Variance: (a) Varia Secti	ince requested i	From New Windso Le of Re	r Zoning Local : gs., Col	Law,
				Proposed or	Variance	
		0.1	Requirements	<u>Available</u>	Request	
		Sign 1				
		Sign 2 Sign 3				,
		Sign 4			***************************************	
		Sign 5				137
		_				
		Total	sq.ft.	sq.ft.	sq.ft.	
		.		Ed. r.	ay.ıc.	

	(b)	Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.
	(c)	What is total area in square feet of all signs on premises including signs on windows, face of building, and freestanding signs?
		•
VII.	Spec (a)	cial Permit: n/a Special Permit requested under New Windsor Zoning Local Law, Section, Table of Regs., Col
	(b)	Describe in detail the use and structures proposed for the special permit.
VIII.	Addit	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
		Applicant is proposing a 5 ft. high fence only along the portion
		of sideyard where the ground is at a lower elevation. The balance of
		proposed fence will be 4 ft. in height.
•		
IX.	Atta	chments required: $\frac{x}{x}$ Copy of letter of referral from Bldg./Zoning Inspector. $\frac{x}{x}$ Copy of tax map showing adjacent properties.
		n/a Copy of contract of sale, lease or franchise agreement.
		Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings,
		facilities, utilities, access drives, parking areas,
		trees, landscaping, fencing, screening, signs, curbs,
		paving and streets within 200 ft. of the lot.
		$\frac{-n/a}{x}$ Copy(les) of sign(s) with dimensions. $\frac{-n/a}{x}$ Check in the amount of \$50.00 payable to TOWN OF NEW WINDSOR.
		- Photos of existing premises which show all present

Date March 23, 1987

X. AFFIDAVIT

성하면 보다는 사람들은 사람들이 되고 있는데 함께 가는 것이 없는 것이다. 사람들이 다른 사람들이 다른 것이다. 보다는 사람들은 사람들은 사람들이 되었다면 하는데	
STATE OF NEW YORK) SS.: COUNTY OF ORANGE)	
The undersigned Applicant, being duly sworn, depose	:s
and states that the information, statements and representations	
contained in this application are true and accurate to the best	of
his knowledge or to the best of his information and belief. Th	ıe
applicant further understands and agrees that the Zoning Board	
of Appeals may take action to rescind any variance or permit gr	canted
if the conditions or situation presented herein are materially	
changed.	
Sworn to before me this Applicant HOWARD PICARD P & P QUICK COPY CENTER, INC.	
loth day of March, 1987.	
Wilial. Bankat PATRILIA BELLO A. Barnhert NOTARY PUBLIC. State of New York NO. 5970775 No. 5970775 No. 5970775	
XI. ZBA Action: Outlified in Orange County Commission Expires March 30, 1917. (a) Public Hearing date	
(b) Variance is	
Special Permit is	
(c) Conditions and safeguards:	
	FF-F4
	11111
	A CONTRACTOR

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS.

PUBLIC NOTICE OF HEARING BEFORE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 11

Request of HOWARD PICARD AND CAROLE PICARD for a VARIANCE of the regulations of the Zoning Local Law to permit construction of 176 ft. of 5 ft. chain link fence along sideyard of property line in a PI zone; being a VARIANCE of the Regulations of Section 48-14C(1) - Supplementary Yard Regs. of the Zoning Code of the Town of New Windsor, for property situated on the east side of Temple Hill Road, New Windsor, N. Y.

SAID HEARING will take place on the 13th day of April, 1987 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock p.m.

JACK BABCOCK, Chairman



TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK

3B

Simpson Harry M & Dorothy Box 941 Newburgh NY 12550

Ramirez Jose
618 Union Ave
New Windsor NY 12550

Grismer Eleanor 064 Ronsini Angela Eleanor Richard Jr & Michael Box 2013 Newburgh NY 12550

Grismer Eleanor
PO Box 2013
Newburgh NY 12550

Mossuto Edward G & Josephine X 15 Clarkview Rd New Windsor NY 12550

Smith David E & Rose S
1 President Ct 066
New Windsor NY 12550

Carroll Frederick William & Joan A
5 President Ct
New Windsor NY 12550

Nenning Ernest & Louise
7 President Ct
New Windsor NY 12550

Thornton OConney S Sr & Ernestine H 061 9 President Ct New Windsor NY 12550 Muratore Luigi M & Anna

27 Clarkview Rd
New Windsor NY 12550

Huebner Edward R Jr & Jean A 29 Clarkview Rd New Windsor NY 12550

Porath Harold A & Vera C X 31 Clarkview Rd New Windsor NY 12550

Wilson Elwood L & Florence D 592 Union Ave New Windsor NY 12550 073

Herring Zebedee C & Betty L 590 Union Ave New Windsor NY 12550

Moseley Le Grande Sr & Willetta M 588 Union Ave New Windsor NY 12550 075

Fischer Majør Susan c/o Maj S/Fischer Moyer 7521 Amesbury Ct Dug Alexandria Va 22310



TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK

Ender, Pd., 07460

Pierotti Elizabeth M RD2 Meadowbrook La p741 889 040 Cornwall NY 12518

Mazza Theresa c/o Herbst & Rashbaum PO Box 7002 Newburgh, NY 12550

Licari Rita 478 Union Ave New Windsor NY 12550

Newburgh Bananas Inc Eugene Hecht 111 Dickson St 043 13 One Lane Newburgh NY 12550 Newburgh NY 12550

Fischer Major Susan & Mark J LT. Col Susantische Gomes Joseph A & Marie c/o Maj S Fischer Moyer AUI DSC Box 2899 X 26 Clarkview Rd 09289-5369

Automotive Brake Co of Newburgh Inc 300 Temple Hill Rd 046 New Windsor NY 12550

Orange County Industrial Development Agency

X County Building 252-72 Main St Goshen NY 10924

X Birk's Realty Inc 1977. Newburgh NY 12550

Monsey Structural Aluminum Inc X 335 Temple Hill Rd New Windsor NY 12550 048

The Coca-cola Bottling Co of NY 20 Horseneck La Greenwich CT 06836

★ Ellwhy Realty Corp
c/o Dexion Realty Corp c/o A&J Washroom Accessories 319 Temple Hill Rd New Windsor NY 12550 650

X Crowley Foods Inc PO Box 549 Binghamton NY 13902

The City of Newburgh X Newburgh NY 12550

Hyzeř.Robert W & Janette X24 Clarkview Rd New Windsor NY 12550

New Windsor NY 12550

Van Voorhis Raphael J & Carol M
28 Clarkview Rd New Windsor NY 12550

Jennings Richard C & Patricia C 30 Clarkview Rd New Windsor NY 12550 056

X Petro James Jr & Deborah 056 32 Clarkview Rd New Windsor NY 12550

Infante Madeline 602 Union Ave New Windsor NY 12550

X 606 Union Ave Casalinuovo Dominick & Rose New Windsor NY 12550

McDougall Glenn A 614 Union Ave New Windsor NY 12550